

Testimony of Rob Friedman,  
Vice Chairman of Paramount Pictures' Motion Picture Group

U.S. Senate Committee on Commerce, Science and Transportation  
Hearing on the Federal Trade Commission Report on Marketing Practices  
September 27, 2000

Good morning, Mr. Chairman and members of the Committee. My name is Rob Friedman, and I am the Vice Chairman of Paramount Pictures' Motion Picture Group. I appreciate this opportunity to come before you to comment on the Federal Trade Commission's recent report on the marketing of motion pictures and other forms of expression.

Violence within our society is an issue of concern to all of us, and questions concerning the possible relationship of societal violence to depictions of violence in the media have garnered national attention, particularly as we as a nation strive to cope with the aftermath of tragedies such as Columbine and to prevent any such occurrences in the future.

In the debate surrounding this subject, however, the distinction between film content and film marketing has often been forgotten or obscured. In some circles, the result has frequently been hasty recommendations for quick fixes that, upon reflection, prove to be neither quick nor fixes. You, Mr. Chairman, and the FTC are to be commended for a more thoughtful approach in highlighting the distinction between the artistic creation of content, which is so clearly constitutionally protected speech, and the

marketing of those artistic works. Though we firmly believe that the First Amendment also protects advertising for motion pictures, we want to emphasize that we hear your concerns and those of the FTC and are committed to strengthening our processes so that parents are provided with more information and our advertising messages are heard by the appropriate audiences. In doing so, we are pleased to tell you that Paramount wholeheartedly endorses the MPAA member company initiatives being provided to you today and believes that they address the core concerns raised by the FTC in its report. We intend to support fully these initiatives, and we are reviewing and will continue to review our marketing practices to determine how best to meet the goals that underlie these principles.

I think it is important, though, that we not view violence as a problem that lends itself to simple solutions. As a society, we are confronted by many serious problems, many of which bear directly on the issue of violence, including the easy availability of guns, enduring poverty, the scourge of drug abuse, and child abuse and neglect.

Although today's discussion turns on the marketing of entertainment products, it also touches on issues of content, and I feel some personal observations could help us better appreciate the context in which we are all operating. I think we all recognize that violent themes in storytelling are anything but new. From the beginning, storytelling has utilized these themes of war, violent acts and betrayal. The existence or absence of these themes is not what defines art as worthwhile or worthless. Using art and entertainment to explore vicariously the varied challenges that these themes present to us as individuals

and as members of a society is useful and long-established. One need think only of traditional Grimms' fairy tales, the works of Shakespeare or the latest *New York Times* bestseller list to realize that the interest in these themes spans the centuries and crosses into all age groups.

It should thus not be surprising that storytellers today continue to draw on the same themes that have occupied us since the first stories were told, and that these stories – told and retold – include these themes. What changes is that each person tells these stories in the context of his or her own environment and experiences. Contemporary storytellers try to tell their stories in ways that speak to contemporary society.

Because the range of human experience is rich in variety, stories can be – and today frequently are – not violent. Each year, the movie industry creates films that entertain and illuminate us and that become part of our cultural and intellectual heritage. In recent years, for example, Paramount releases have included *Runaway Bride*, *The Truman Show*, *The Rugrats Movie*, *Titanic*, *Indian in the Cupboard*, *Forrest Gump*, *Searching for Bobby Fischer*, *What's Eating Gilbert Grape?*, and many other fine movies. Every person at this table has been involved in bringing some wonderful films to audiences around the world. Cinema is a particularly American art form. The people associated with Paramount and the other studios have built an extraordinary body of work that has enriched our culture and should make us all proud.

However, not every movie is a masterpiece, just as not every book wins the Pulitzer Prize and not every painting ends up gracing the walls of the National Gallery. Movies – like paintings, books, plays and songs – are art and share with those other art forms qualitative differences in aspiration and outcome. And, as in art generally, there is no simple formula that one can apply in making movies, or in evaluating them.

Similarly, there is no set formula for marketing movies. Over the course of a year, any movie company will run hundreds of different advertisements in thousands of different outlets. And, in the case of television, these ads will air across a wide range of programs. As the FTC report indicates, we have not always been as careful as we could have been. I do not believe, however, that we systematically focus our advertising efforts for R-rated films toward young children. Our own analysis of the ages of the actual audiences for the R-rated Paramount films included in the FTC study shows that, for our films, on average, less than 10% of the audience was under the age of 17.

In closing, I would like to leave you with a few thoughts that, I hope, will lend some useful perspective to this discussion.

Like many of you, and like many of my colleagues, I'm a parent myself. In addition to my role at Paramount, I am also the proud father of two wonderful daughters. We all appreciate the challenges of raising children today. Like so many other parents in America, their mother and I work hard to meet these challenges, at least in part by helping our children make decisions regarding what movies and television programs they

watch, what music they hear, and what games they play. That's our job as parents, and we take it seriously.

The current rating system provides a solid foundation for helping parents guide their children, and the enhancements that we propose offer substantial potential for improvement. As we can see from the FTC's own survey, 98% of parents responded that they are usually involved in selecting what movies their children see, and 90% report that they restrict the movies their children watch. Those are incredibly high numbers, and we should find them encouraging. They indicate that the vast majority of American parents take their responsibilities toward their children seriously and that they will make use of the greater information that we intend to provide them. Those numbers should also remind us that parents are already very involved in the decisions to guide their children's exposure to movies.

It is in the interests of all of us to provide the best information so that parents can make their decisions freely and knowledgeably. We share your desire to find an effective and workable solution that protects both our children and our Constitution.